

Remarks

Claims 1 to 130 have been cancelled without prejudice or disclaimer. Claim 131 has been amended. Claims 135 to 144 have been added. Claims 131 to 144 are pending and under consideration.

Support for amended claim 131 is found, e.g., at page 43, lines 13 to 18.

Support for new claim 135 is found, e.g., at page 43, lines 13 to 18. Support for new claim 136 is found, e.g., at original claim 60, at pages 40 to 42, and pages 50 to 51.

Support for new claim 137 is found, e.g., at Table 2, pages 65 to 66 in Example 1.

Support for new claim 138 is found, e.g., at page 49, where U.S. Patent No. 5,514,543 (the '543 patent) is incorporated by reference. Support for claim 138 is found, e.g., in the '543 patent at col. 22, lines 3 to 6. Support for new claim 139 is found, e.g., at pages 39 to 42. Support for new claim 140 is found, e.g., at page 51, lines 9 to 19.

Support for new claim 141 is found, e.g., at original claim 60, pages 40 to 42, pages 50 to 51, and page 53, lines 6 to 8. Support for new claim 142 is found, e.g., at Table 2, pages 65 to 66 in Example 1. Support for new claim 143 is found, e.g., at page 49, where the '543 patent is incorporated by reference. Support for claim 143 is found, e.g., in the '543 patent at col. 22, lines 3 to 6. Support for new claim 144 is found, e.g., at pages 39 to 42.

Thus the claims are fully supported by the specification and add no new matter.

Rejection in View of Friedhoff

The Examiner maintains the rejection of claims 131 to 134 under 35 U.S.C. § 102(b) as allegedly being anticipated by Friedhoff et al., *Anal. Biochem.*, 215:9-16

(1993) ("Friedhoff"). See Action at page 3, item 5. For the reasons discussed in the July 2004 Response, applicant does not believe that the Examiner's rejection is proper. Rather than repeat those arguments here, applicant incorporates those arguments from the July 2004 Response by reference.

In any event, solely to expedite prosecution, and without acquiescing to the Examiner's rejection, applicant has amended claim 131 to include the language "a plurality of different amplification products which have been amplified from a plurality of different loci...." Friedhoff does not show "a plurality of different amplification products which have been amplified from a plurality of different loci...." Rather, Friedhoff discusses only one locus. Thus, Friedhoff does not anticipate claim 131. Claims 132 to 134 depend from claim 131. Therefore, Friedhoff also does not anticipate those claims.

Applicant respectfully requests reconsideration and withdrawal of the § 102(b) rejection in view of Friedhoff.

New Claims 136 to 144

In addition, applicant has added new claims 136 to 144. New independent claim 136 comprises the language "wherein the tag complements of at least two different sequence-specific mobility modifiers of the at least two different sequence-specific mobility-modifiers do not cross-hybridize to the same addressable support-specific portion." Friedhoff fails to show such a relationship of elements. Thus, Friedhoff does not anticipate new independent claim 136. Claims 137 to 140 depend from independent claim 136. Thus, Friedhoff does not anticipate those dependent claims.

New independent claim 141 comprises the language "wherein the addressable-support specific portion does not comprise any portion of the target specific portion...."

Friedhoff does not show such an addressable-support specific portion. Thus, Friedhoff does not anticipate new independent claim 141. Claims 142 to 144 depend from independent claim 141. Thus, Friedhoff does not anticipate those dependent claims.

Conclusion

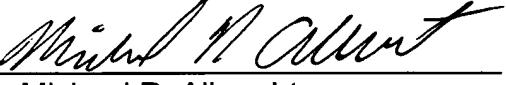
Applicant respectfully asserts that the application is in condition for allowance and requests issuance of a Notice of Allowance. If the Examiner does not consider the application to be in condition for allowance, applicant requests that he call the undersigned at (650) 849-6658 to set up an interview.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: October 1, 2004

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